

Atty. Dkt. No. ZIMR/0015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Lars Daehne, et al.

Serial No.: 10/522,998

Confirmation No.: 4632

Filed: February 2, 2005

For: COLOR-CODED LAYER-BY-LAYER MICROCAPSULES AS COMBINATORIAL ANALYSIS LIBRARIES AND AS SPECIFIC OPTICAL SENSORS

www.pearsoned.com

International Application No.:
PCT/EP03/08376

International Filing Date: July 29, 2003

Priority Date: August 2, 2002

BOX MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by Paulette Kidwell, namely, fax number (571) 270-9881, to the attention of Paulette Kidwell, on the date below.

3/2/07
Date


Signature

Dear Sir:

RESPONSE TO “NOTIFICATION OF DEFECTIVE RESPONSE” AND “WITHDRAWAL OF PREVIOUSLY SENT NOTICE”

Applicant files this Response to a Notification of Defective Response, within the one-month period set to expire on March 13, 2007. The notice (copy enclosed) indicates that the correct excess/multiple-dependent claims fees were not paid.

Applicant submits that all required fees have been paid. The application as filed, i.e., the PCT-published application, contained multiple dependent claims. However, along with the 371 filing, Applicant filed a Preliminary Amendment which removed the multiple dependent claims. Furthermore, the \$250.00 fee for the five claims over 20

was also paid (see the enclosed fee calculation sheet).

The undersigned believes that the Deposit Account has been overcharged for this filing. The correct filing fees, \$1,250.00, were paid at the time of filing, which included the \$250.00 excess claims fee. A late payment surcharge of \$130.00 was due for late filing of the Declaration, and was paid in the August 5, 2005 submission of the Declaration. Thus, the total amount due for this application is \$1,380.00. However, according to the enclosed Filing Receipt dated February 13, 2007, a total of \$1640.00 has been charged to this firm's Deposit Account. A charge of \$360.00 for multiple dependent claims was erroneously made to the Deposit Account, and the undersigned requests that this fee be refunded.

Additionally, the Office is requested to reissue the Notice of Acceptance of Application that has been withdrawn.

The Commissioner is hereby authorized to credit any overpayment to Deposit Account No. 20-0782/ZIMR/0015/KMT.

Respectfully submitted,



Keith M. TACKETT
Registration No. 32,008
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,998	Lars Daehne	ZIMR/0015

26290
 PATTERSON & SHERIDAN, L.L.P.
 3040 POST OAK BOULEVARD
 SUITE 1500
 HOUSTON, TX 77056

INTERNATIONAL APPLICATION NO.	
PCT/EP03/08376	
I.A. FILING DATE	PRIORITY DATE
07/29/2003	08/02/2002

CONFIRMATION NO. 4632
371 WITHDRAWAL NOTICE



OC000000019618726

Date Mailed: 02/13/2007

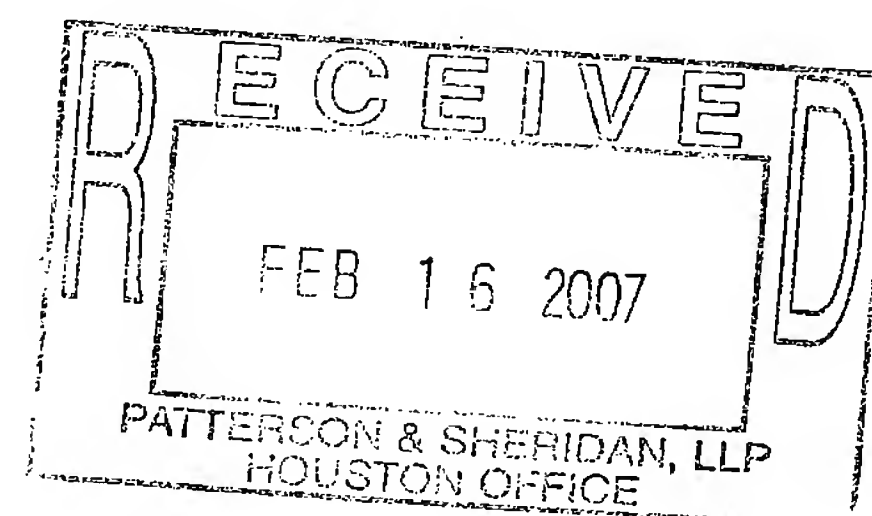
WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 01/27/2006 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the enclosed Notice. We apologize for any inconvenience this caused.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,998	Lars Daehne	ZIMR/0015

INTERNATIONAL APPLICATION NO.

PCT/EP03/08376

I.A. FILING DATE	PRIORITY DATE
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07/29/2003

08/02/2002

26290
 PATTERSON & SHERIDAN, L.L.P.
 3040 POST OAK BOULEVARD
 SUITE 1500
 HOUSTON, TX 77056

CONFIRMATION NO. 4632

371 FORMALITIES LETTER



OC000000019618849

Date Mailed: 02/13/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Copy of IPE Report filed on 02/02/2005
- Preliminary Amendments filed on 08/11/2005
- Information Disclosure Statements filed on 02/02/2005
- Oath or Declaration filed on 08/11/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005
- Power of Attorney filed on 08/11/2005
- Specification filed on 08/11/2005
- Claims filed on 08/11/2005
- Abstracts filed on 08/11/2005
- Drawings filed on 08/11/2005

Applicant's response filed is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/25/2005 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$250** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-110 for a Large Entity:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$ 250

- \$250 for 5 total claims over 20.

(A previous payment of \$360 will be applied to the additional fees indicated above.)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

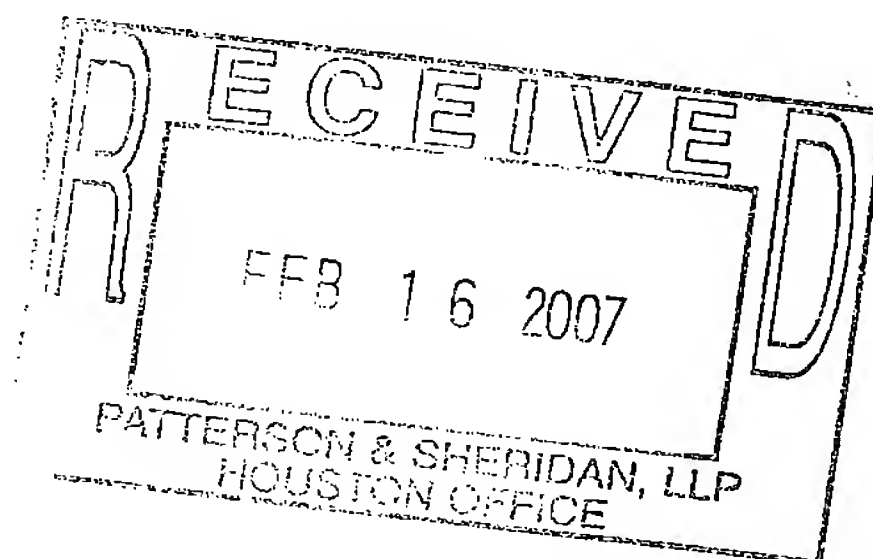
If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,998	PCT/EP03/08376	ZIMR/0015



PCT

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0551-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.51) to be assigned 10/522998		INTERNATIONAL APPLICATION NO. PCT/EP03/08376		ATTORNEY'S DOCKET NUMBER ZIMR/0015	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....				\$ 300.00	\$ 300.00
<input checked="" type="checkbox"/> b) Examination fee.....				\$ 200.00	\$ 200.00
<input checked="" type="checkbox"/> c) Search fee.....				\$ 500.00	\$ 500.00
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	\$ 1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	25 - 20 =	5	x \$50.00	\$ 250.00	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1250.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1250.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$ 1250.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 1250.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 1250.00
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>20-0782</u> in the amount of \$ <u>1250.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-0782</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>B. Todd Patterson MOSER, PATTERSON & SHERIDAN, L.L.P. 3040 Post Oak Blvd., Suite 1500 Houston, TX 77056-6582 (713) 623-4844 FAX (713) 623-4846</p>					
				SIGNATURE Keith M. Tackett	
				NAME 32,008	
				REGISTRATION NUMBER	

BEST AVAILABLE COPY



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/522,998	08/11/2005	1645	1640	ZIMR/0015	9	25	1

CONFIRMATION NO. 4632

26290

PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON, TX 77056

FILING RECEIPT

Date Mailed: 02/13/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Lars Daehne, Berlin, GERMANY;
Barbara Baude, Caputh, GERMANY;
Andreas Voigt, Lindenst, GERMANY;

Power of Attorney:

Keith Tackett--32008 Eddy Song--43144
Donald Verplancken--33217
William Patterson--34102
Raymond Moser Jr--34682
Barden Patterson--37906

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/08376 07/29/2003

Foreign Applications

GERMANY 10236409.5 08/02/2002
GERMANY 10315846.4 04/02/2003

If Required, Foreign Filing License Granted: 07/13/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is
US10/522,998

Projected Publication Date: Not Applicable

Non-Publication Request: No

PCT

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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				SIGNATURE	
				Keith M. Tackett	
				NAME	
				32,008	
				REGISTRATION NUMBER	

200782

10/522998